

COMMENTS ON FHWA's PROPOSED RULE MAKING CONCERNING  
TRAFFIC SAFETY IN HIGHWAY AND STREET WORK ZONES

23 CFR Part 630

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Submitted by

THE CITY OF CHICAGO

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We have reviewed the FHWA's proposed rule making concerning Traffic Safety in Highway and Street Work Zones and have the following comments in response to the questions posed:

1. The "national policy" should be designed to promote and reward creative approaches to design and construction, including the use of more durable materials and alternative construction methodologies, that lead to demonstrable reductions in project duration or frequency of recurrence of construction to reduce impacts on users. At present, there is no means to reward an agency for creative designs that limit construction duration (for example, bridge roll-ins which may reduce closure durations but ultimately increase the cost of a project) or use of more durable materials. If no additional monies can be made available, then business as usual will continue since there is only limited funding for a particular project.
2. Along the lines of #1 above, additional funding should be provided to agencies that investigate and apply creative means of shortening construction duration and improve material durability.
3. FHWA has in place alternative contracting techniques that recognize demand and construction impacts. Strengthening existing provisions such as lane rental and A + B contracting might be adequate to address specific needs to avoid unnecessarily complicating the code.
4. Whatever definition is agreed upon, it should be broad and flexible enough to address local situations.
5. As part of the Project Development Report phase, a more detailed analysis of roadway user impacts should be required. A review of non-traditional construction techniques, such as roll-ins for bridges and high early strength concrete for pavement replacement, should be thoroughly evaluated with cost/benefit analyses performed to determine true project cost.
6. Decisions regarding impacts of construction and alternative construction and material methodologies should be kept at the local agency level, not the metropolitan planning or state wide agency level. In general, the MPO's or state agencies are not sensitive or responsive to the needs of local agencies and are in a poor position to make decisions of this nature.
7. No comment.
8. Again, making additional funds available for projects that incorporate creative construction techniques or use of more durable materials would encourage agencies to pursue these options.
9. User costs are an appropriate measure of impact of construction. A permutation of user costs is incorporated in the determination of liquated damages and incentives. These

calculations should be made part of the Project Development Report process with a requirement to perform a cost/benefit analysis to evaluate alternatives regarding construction methodology and improved materials.

10. A nationwide policy that compels utilities to cooperate with agencies would greatly assist in delivering projects on time.
11. Traffic Control Plans (TCP) should identify means of lessening impacts on construction through use of traffic control aids in cities and greater use of changeable message boards. These costs should be fully reimbursable to a project and not require extensive justification to implement.
12. No comment.
13. No comment.
14. The TCP's should be developed at the local agency level where community input is most likely to affect the outcome of any plan.
15. No comment.
16. The local agency should take the lead on any public outreach since it is most attuned to the needs of the community impacted by the work.
17. Absolutely, the planning process should take into account the public information process. This communication process should be integrated into the project before construction begins and should be a fully reimbursable cost to the project.
18. No comment.
19. No comment.
20. No comment.